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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,584	12/30/2003	Ralf Neuhaus	2000P24056WOUS	8952
7590 SIEMENS CORPORATION INTELLECTUAL PROPERTY DEPT. 170 WOOD AVENUE SOUTH ISELIN, NJ 08830			EXAMINER PEREZ, ANGELICA	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 04/28/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/748,584

**Applicant(s)**

NEUHAUS, RALF

**Examiner**

ANGELICA M. PEREZ

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/02/09.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 1-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 25-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Applicant's election with traverse of Species I in the reply filed on 2/18/10 is acknowledged. The traversal is on the ground(s) that "There is no significant searching burden involved in the Examination of both species shown in Figures 3 and 4, the present application". This is not found persuasive because the claims are presented as new and the examiner has to start over the examination of the claims. In addition, the slight changes might require a new search and having to search elements for two different inventions creates a burden on the examiner, not considering any changes that might take place in the future.

The requirement is still deemed proper and is therefore made FINAL.

### ***Specification***

2. The abstract of the disclosure is objected to because there is no description of what a "first mode" is (claim 39). Correction is required. See MPEP § 608.01(b).

### ***Response to Arguments***

3. Applicant's arguments filed 10/02/09 have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance:

(A) "...obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness."

In response to argument (A), the examiner would like to point out where the references try to provide a system that allows users to manage telecommunication

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devices with ease by connecting the communication devices to an entertainment terminal via an interface, so that the communication device and the entertainment unit can interchange signals. In this manner, the display of the entertainment terminal can be advantageously used in the administering/controlling the functions of the telecommunication devices.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 8-15 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferry et al. (Ferry, US Patent No.: 5,805,677 A) in view of Slotznick, Benjamin (Slotznick, US 7058356).

Regarding claim 25, Ferry teaches of a system (figure 1, represents a system) for switching, controlling, programming and operating at least one communication device (, comprising: at least one communication device (; and at least one entertainment terminal (figure 1, television 20), the at least one entertainment terminal connectable to the at least one communication device via at least one interface (figure 1, where the telephone inherently require an interface for communication with the television terminal and vice versa, the interface can be wired or wireless), the at least

one entertainment terminal comprised of a display (figure 1, television screen 24), the at least one communication device and at least one entertainment terminal configured to interchange at least one of signals and data via the at least one interface (columns 9 and 10, lines 52-62 and 33-40, respectively, where, at least, the telephone sends information regarding a call to the TV terminal can send a reply to the call/message; where at least "signals" are required to send the information), the at least one entertainment terminal comprised of an active entertainment terminal (column 5, lines 18-20; where to display the caller identification, the television needs to be active).

Ferry does not specifically teach where the at least one communication device configured to automatically search for the active entertainment terminal when an administrative mode of the at least one communication device is selected such that the at least one communication device is connectable to the active entertainment terminal so that a selection menu is displayable on the display of the active entertainment terminal after the active entertainment terminal is detected.

In related art concerning a telephone device with enhanced audio-visual features for interacting with nearby displays and display screens, Slotznick teaches where the at least one communication device configured to automatically search for the active entertainment terminal when an administrative mode of the at least one communication device is selected such that the at least one communication device is connectable to the active entertainment terminal so that a selection menu is displayable on the display of the active entertainment terminal after the active entertainment terminal is detected (column 4, lines 30-34 and 55-63; column 10, lines 47-53; e.g., "currently active

television channel”; where when the ser presses the button it “searches” at least the “requisite devices for communication with the TV phone”; and “causes the desired data or pictures to be displayed on the nearby screen”).

It would be obvious to one of ordinary skill in the art at the time the invention was made to combine Slotznick's search of active entertainment terminal(s) when the administrative mode is selected with Ferry's system for controlling communications devices in order to search and find specific entertainment devices that can ease the administration of at least one communication device, since the former ones have larger display/screen.

Regarding claim 26, Ferry and Slotznick teach all the limitations of claim 25. Ferry further teaches where at least one of the at least one communication device and at least one entertainment terminal is also comprised of a memory device that has a database, the database having insert symbols corresponding to state-dependent information that is displayable on the display of the at least one entertainment terminal (columns 9 and 10, lines 66-67 and 1-24, respectively; where the data is stored in a memory, where a list of stored information corresponds to a database).

Regarding claim 27, Ferry and Slotznick teach all the limitations of claim 26. Ferry further teaches where at least one of the at least one communication device and the at least one entertainment terminal is also comprised of memory that has a database, the database having insert symbols associated with at least one caller, each symbol being displayable on the display of the active entertainment terminal (columns 9 and 10, lines 66-67 and 1-24, respectively; where the data is stored in a memory, where

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a list of stored information corresponds to a database. Where the name, location or company name is associated with at least one caller and can be displayed on the display).

Regarding claim 28, Ferry and Slotznick teach all the limitations of claim 25. Ferry further teaches where the at least one communication device is configured to switch to the administration mode upon receiving an incoming call to set up a connection to the active entertainment terminal (column 1, lines 14-24; column 5, lines 8-29 and column 10, lines 20-40; where when the call is received the "administration mode" takes over, "switches", so that the user can manage the call).

Regarding claim 29, Ferry and Slotznick teach all the limitations of claim 25. Ferry further teaches where the at least one entertainment terminal is a television (Figure 1, item 20).

Regarding claim 30, Ferry and Slotznick teach all the limitations of claim 25. Ferry further teaches where the at least one communication device is comprised of at least one telephone (column 9, lines 52-55; e.g., "telephone line 16").

Regarding claim 31, Ferry and Slotznick teach all the limitations of claim 25. Ferry further teaches where the at least one communication device is comprised of at least one mobile radio (column 2, lines 40-42; where mobile radio comprise radio interface).

Regarding claim 32, Ferry and Slotznick teach all the limitations of claim 25. Ferry further teaches where the at least one interface is a wireless interface, a radio interface or a high speed interface (column 2, lines 40-42).

Regarding claim 34, Ferry and Slotznick teach all the limitations of claim 25. Ferry further teaches where the at least one communication device is also configured to transmit state dependent data to the active entertainment terminal (columns 9 and 10, lines 66-67 and 1-13, respectively; where additional information corresponds to "state-dependent information").

Regarding claim 35, Ferry and Slotznick teach all the limitations of claim 25. Ferry further teaches of a memory device or memory service that is connected to the at least one communication device (column 12, lines 8-13).

Regarding claim 36, Ferry and Slotznick teach all the limitations of claim 25. Ferry further teaches of a memory device or memory service that is connected to the at least one entertainment terminal (column 12, lines 8-13).

Regarding claim 37, Ferry and Slotznick teach all the limitations of claim 25. wherein the at least one entertainment terminal is also comprised of at least one input facility (figure 4, remote control 30c).

Regarding claim 38, Ferry and Slotznick teach all the limitations of claim 25. wherein the at least one input facility is a remote control (figure 4, remote control 30c).

Regarding claim 39, Ferry and Slotznick teach all the limitations of claim 25. where the at least one communication device is configured to switch from a first mode to the administrative mode, the first mode and the administrative mode both requiring the communication device to be powered for operation such that the administrative mode and the first mode are not operational when the at least one communication device is deactivated (column 1, lines 14-24; column 5, lines 8-29 and column 10, lines



20-40; where when the call is received the "administration mode" takes over, "switches", so that the user can manage the call; the examiner is not sure as to what the first mode might be; therefore, a broad interpretation is given)

6. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ferry in view of Slotznick, and further in view of Baker.

Regarding claim 7, Ferry and Slotznick teach all the limitations of claim 6.

Ferry Slotznick do not explicitly teach where the at least one interface is configured to transmit and receive data based on a Firewire standard.

In related art concerning a system for assigning received data packets to data communication channels, Baker teaches where the interface transmission is based on the at least one interface is configured to transmit and receive data based on a Firewire standard (column 1, lines 21-34, which is another standard for interfacing communication devices to obtain high speed at low cost).

It would be obvious to one of ordinary skill in the art at the time he invention was made to combine Ferry's and Slotznick combined system for controlling communications devices with Baker's Firewire standard in order to obtain "high-performance multimedia connections with camcorders, televisions, stereos...", as taught by Baker.

Regarding claim 40, a system for switching, controlling, programming and operating at least one communication device, comprising: at least one communication device; and at least one entertainment terminal, the at least one entertainment terminal connectable to the at least one communication device via at least one interface, the at

least one entertainment terminal comprised of a display, the at least one communication device and at least one entertainment terminal configured to interchange at least one of signals and data via the at least one interface, the at least one entertainment terminal comprised of an active entertainment terminal; the at least one communication device configured to switch from a first mode to an administrative mode, the first mode and administrative mode both requiring the at least one communication device to be powered for operation, the at least one communication device configured to automatically search for the active entertainment terminal when the administrative mode is selected such that a selection menu is displayable on the display of the active entertainment terminal after the active entertainment terminal is detected, the display of the active entertainment terminal also configured to receive input comprised of at least one of text and call administration data that is transmittable via touching the display, the display configured to transmit the input received by the display to the at least one communication device to effect administration of a call,

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angelica Perez whose telephone number is 571-272-7885. The examiner can normally be reached on 6:00 a.m. - 1:30 p.m., Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached at (571) 272-7882. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either the PAIR or Public PAIR. Status information for unpublished applications is available through the Private PAIR only. For more information about the pair system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Information regarding Patent Application Information Retrieval (PAIR) system can be found at 866-217-9197 (toll-free).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service number is 703-306-0377.

/A. M. P./ Examiner, Art Unit 2618	/Nay A. Maung/ Supervisory Patent Examiner, Art Unit 2618
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4/28/10